Registered No. HSE-49/2016







ఆంధ్రప్రదేశ్ రాజపత్రము

# THE ANDHRA PRADESH GAZETTE

## PUBLISHED BY AUTHORITY

PART I EXTRAORDINARY

No.766 AMARAVATI, TUESDAY , DECEMBER 6, 2016 G.870

# NOTIFICATIONS BY GOVERNMENT

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## YOUTH ADVANCEMENT TOURISM & CULTURE DEPARTMENT (T)

THE ANDHRA PRADESH STATE CREATIVITY AND CULTURE COMMISSION (CONSTITUTION, FUNCTIONS AND POWERS) RULES, 2016.

*[G.O. Ms.No.27, Youth Advancement Tourism & Culture (T), 6th December, 2016.]*

**Notification**

In exercise of the powers conferred under section 42 of the Andhra Pradesh Tourism, Culture and Heritage Board Ordinance, 2016 (Andhra Pradesh Ordinance 6 of 2016), the Government of Andhra Pradesh hereby makes the following rules:

**PART I**
**PRELIMINARY**

**1.** (1) These Rules may be called the Andhra Pradesh State Creativity and Culture Commission (Constitution, Functions and Powers) Rules, 2016.

(2) They extend to the whole of the State of Andhra Pradesh.

**2. Definitions.** (1) In these rules, unless the context otherwise requires, —

(i) "Commission" means the Andhra Pradesh State Creativity and Culture Commission constituted under section 6 of the Ordinance;

(ii) "chairman" means the Chairman of the Commission;

(iii) "culture" means the culture of Telugu people;

(iv) “erstwhile department” means department of culture;

(v) “fund” means the Creativity and Culture Fund established under section 20; and

(vi) “projects and programmes” means, the annual projects programmes approved by the Commission for development of Creativity, Art and Culture of the state.

(2) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Ordinance.

## PART II
## ANDHRA PRADESH STATE CREATIVITY AND CULTURE COMMISSION

**3. Constitution of the Andhra Pradesh State Creativity and Culture Commission.**

(1) The State Government hereby constitutes a body to be called the ‘Andhra Pradesh State Creativity and Culture Commission’, herein after called as the ‘Commission’ for the State, which shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable and to contract and by the said name sue and be sued.

(2) The Commission shall consist of —

(a) Director General of the Board as Chairman;

(b) Directors, Programs – Member;

(c) Director Administration – Member;

(d) Up to two experts having special knowledge or practical experience in the fields of Creativity, Art and Culture as members;

(e) Chief Executive Officer - Member-Secretary

(3) The members shall be nominated by Government or Board.

(4) The composition and reconstitution of Commission resulting due to vacancies/absence of its members and proceedings shall be as per First Schedule of the Ordinance.

(5) Subject to the general superintendence and control of the Commission, the management of the affairs of the Commission shall vest in the Chief Executive Officer.

(6) The Commission shall make required regulations with the approval of the Board/ Government to achieve the object of the Ordinance.

(7) The Commission shall consist of such groups/academies headed by directors under the administrative control of Chief Executive Officer as laid down in the regulations, and each group/academy may further consist of divisions/ sections/ teams/ wings.

(8) Subject to the direction and delegation of the powers by the Commission and Director General, Chief Executive Officer may exercise any power or do any act or thing which may be exercised or done by the Commission.

## PART III
## FUNCTIONS OF THE COMMISSION

**1. Functions of the Commission. —** (1) The functions of the Commission shall be as following.

(a) to develop and promote Telugu culture and creativity through following actions.

(i) promote understanding, enjoyment and expression of Telugu culture;

(ii) preserve Telugu culture including intellectual, linguistic, classical, tribal and folkloristic;

(iii) mainstream traditional Telugu culture;

(iv) facilitate evolution of Telugu culture by encouraging creativity;

(v) protect Telugu culture in areas bordering states with other than Telugu cultures;

(vi) protect Telugu culture from distortion or suppression by other cultures within the state of Andhra Pradesh;

(vii) promote identity of Telugu people culturally both domestically and internationally; and

(viii) improve accessibility to creativity, arts and culture of Telugu people.

(b) to create environment of freedom of expression and protection of rights through the following actions.

(i) encourage exploration, development and expression of personal artistic potential;

(ii) promote participation, inclusiveness, equality and the freedom of artistic expression, pluralism and identity in culture;

(iii) protect the artists' rights to intellectual and artistic property;

(iv) protect the economic and moral rights of artists; and

(v) adopt measures and recommend legislation to protect the intellectual and artistic rights and properties of Telugu artists, cultural workers and other matters concerning culture and the arts.

(c) to collaborate with all persons and agencies working in / influencing the field of culture and creativity, through the following actions.

(i) collaborate with affiliated cultural agencies or philanthropists in conceptualizing and implementing policies/programs or creation of infrastructure;

(ii) coordinate implementation of the programs of the affiliated agencies;

(iii) collaborate with other governmental and non-governmental agencies involved in the fields of art, culture, tourism, sports, education and language for the promotion of artistic and cultural initiatives in an environment which recognizes the value of creativity as central to a mature and healthy community;

(iv) adopt an integrated and co-operative approach with persons, bodies and organizations in the culture market to increase and intensify awareness and appreciation of cultural and artistic activities;

(v) explore and adopt the best possible structure of relationship between the public and the private sector at the district level, taking into account varying socio-cultural situations; and

(vi) decentralize opportunities for creative cultural expression by establishing local creativity and culture centers in various districts and cities, with resources needed for creativity and cultural activities.

(d) to conceptualise and implement schemes/programs through the following actions.

(i) adopt and immediately cause to be implemented, within three (3) months of notification of these rules, a short-term program for existing projects and activities;

(ii) develop and review within six (6) months, a three-year development program in coordination with the councils as well as public and private cultural agencies and organizations;

(iii) prepare and implement every year projects and programmes for the promotion and development of creativity and culture;

(iv) develop, publish, sustain and implement a calendar of events that ensures a continuous programme of cultural and creative events organized by the Commission itself or by bodies, entities or other persons funded or subsidized through its programs;

(v) include in the calendar of events those cultural and creative programmes, initiatives and events produced by entities, organizations or other persons which in the opinion of the Commission deserve to be so included for their better promotion;

(vi) coordinate with the national cultural agencies and the ministry of culture and submit proposals for accessing schemes and programs of Government of India; and

(vii) administer schemes and undertake such other responsibilities in relation to such creative and cultural entities as stipulated in the Ordinance or as the Board/Government may from time to time prescribe.

(e) to undertake welfare measures and recognize outstanding talent/achievements through the following actions.

(i) provide financial assistance for cultural development;

(ii) undertake welfare measures such as pensions for artists and cultural workers and so on; and

(iii) recognise creative and cultural achievements through grants and awards.

(f) to conserve and promote historical and cultural heritage through the following actions.

(i) support, monitor and systematize the retrieval and conservation of cultural and historical artifacts from within and outside the country;

(ii) support study, recognition, preservation and promotion of cultural resources such as dance, weaving, pottery and such other crafts and creative arts;

(iii) conserve and develop such artistic skills threatened with extinction;

(iv) encourage, support and/or maintain galleries, libraries, archives, private or public, as repositories of cultural and historical artifacts, artistic creation, printed works, archival records and all other material indispensable for the study of Telugu culture and history;

(v) encourage private sector to establish and maintain private gallaries and libraries;

(vi) encourage and support writing of history of Telugu land including local historical heritage from the perspective of a Telugu person;

(vii) encourage, support and systematize the audio-visual documentation of evolution of Telugu cultural expressions; and

(viii) facilitate setting up of arts and crafts centres, at state, district and city levels, where living exponents of arts and crafts can practice and teach their art and enrich contemporary designs.

(g) to disseminate artistic and cultural products through the following actions.

(i) cause to be established and develop an intense creativity and arts education program in the school curriculum;

(ii) promote and ensure the development of educational schemes encouraging active participation in cultural and creative programmes and activities;

(iii) encourage and support programs through publication, exhibition, production, performance, staging and reproduction of original Telugu creations;

(iv) coordinate and provide technical and/or financial assistance for cultural events such as festivals, competitions, lectures, seminars, fora and symposia;

(v) facilitate a translation program of Telugu classics for the benefit of national and international readers;

(vi) facilitate a translation program of foreign language classics in different fields such as science, philosophy, engineering and so on into Telugu language;

(vii) publicise the creative and cultural achievements and programs of various government and non-government agencies;

(viii) shape the tourism programs so that they become an instrument for education of our people and visitors about the best of our heritage, culture and creativity;

(ix) support programs of international creativity and cultural exchanges, scholarships, travel grants and other forms of assistance;

(x) prepare standards and guidelines for protection of our artists, cultural workers and creative works anywhere in the world; and

(xi) encourage and support training of artists, cultural workers and administrators.

(h) to conduct research and analysis through the following actions.

(i) encourage and support research in:

(a) -cultural traditions, arts, crafts, cultural movements,

(b) -achievements and personalities in literary, visual, creative and performing arts,

(c) -mass media, and Telugu culture;

(ii) carry out studies, scientific and applied research or investigation relating to any cultural and artistic matter;

(iii) encourage and support research into artistic traditions of the Telugu people which could be adopted for the creation of contemporary forms;

(iv) ensure that the research, training and program interventions ultimately strengthen and benefit Telugu culture;

(v) systematically collect data useful for formulating policies; and

(vi) facilitate retrieval of cultural research information through training of students, teachers and researchers.

(i) to advise government and issue guidelines through the following actions.

(i) ensure that relevant information is made available to Government while making policies and laws;

(ii) advise the Government on cultural policies and strategies that reach out to the whole socio-cultural sphere;

(iii) monitor, review and evaluate all standards, operations and activities relating to any cultural and artistic matter; and

(iv) provide information and issue guidelines, to the public and to cultural entities, relating to any cultural and artistic matter.

(2) In addition to the functions of the Commission under sub-rule (1), the Commission may undertake such other functions as the Government may assign to the Commission and in so doing the Commission shall be deemed to be fulfilling the purposes of the Ordinance and the provisions of the Ordinance shall apply to the Commission in respect of such functions.

(3) Nothing in this section shall be construed as imposing on the Commission, directly or indirectly, any form of duty or liability enforceable by proceedings before any court.

## PART IV
## POWERS OF THE COMMISSION

**5. Powers of the Commission.-** (1) Under section 12 of the Ordinance, the Commission may exercise one or more of the following powers-,

(a) to regulate activities inimical to promotion, preservation and development of Telugu culture and creativity;

(b) to impose and collect penalties for offences as prescribed under the rules;

(c) to establish an office of the Commission for its administration;

(d) to generate resources, both from the Government and private sectors, local, national and international, for its operations;

(e) to call upon and coordinate with other government and non-government agencies for any assistance or for any matter connected to performance of the Commission’s functions;

(f) to advise the Government on matters pertaining to culture and the arts, including the creation of a special award, for persons who have significantly contributed to the development and promotion of art and culture;

(g) to create or promote creation one or more bodies corporate in connection with performance of Commission’s functions such as promotion of art and culture such as dance, literature, music and so on;

(h) to review all the councils, state schools, academies, committees or bodies corporate formed under these rules; and

(i) to communicate with Government of India or its agencies.

## PART V
## STATE SCHOOLS OF PERFORMING AND VISUAL ARTS

**6. Establishment of state schools of performing and visual arts.—**(1) The Commission may establish State schools of performing and visual arts known by such names as it thinks fit (hereinafter called "school") for the purpose of teaching, training and promotion of performing and visual arts among children and youth.

(2) Under section 47 of the Ordinance, the music colleges transferred to the Commission shall be deemed to be schools of performing and visual arts established under sub rule (1).

(3) Any school established under sub-rule (1) under this rule shall be a body corporate by the name of the school, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable and to contract and by the said name sue and be sued

(4) Establishment and/or functioning, financial provisions and staffing of the schools shall be as laid down in the regulations.

(5) Committees may be formed under section 7 of the Ordinance in connection with state schools.

## PART VI
## ACADEMIES

**7. Establishment of academies.—**(1) The Commission may establish such academies known by such names as it thinks fit (hereinafter called "academy") for the purpose of development and promotion of literature, music, dance, creativity and arts.

(2) Establishment and/or functioning, financial provisions and staffing of the academies shall be as laid down in the regulations.

(3) Committees, may be formed under section 7 of the Ordinance in connection with state academies.

## PART VII
## PROVISIONS RELATING TO STAFF

**8. Chief Executive Officer**. — The Director of Department of Culture, immediately before the date of notification of these rules, shall be the first Chief Executive Officer of the Commission.

**9. Prohibition on manpower outsourcing—**No personnel shall be appointed through manpower outsourcing agencies for carrying out services which can be procured through service contracts such as housekeeping, security, hospitality and such other services.

## PART VIII
## FINANCIAL PROVISIONS

**10. Establishment and administration of Creativity and Culture Fund—**(1) There shall be established a fund to be called the Creativity and Culture Fund, with a seed capital of fifty

crore rupees, which shall, subject to the directions of the Government, be controlled and administered by the Commission.

(2) Except as otherwise directed by the Government all money credited to the Fund shall be invested only in a single Scheduled bank.

(3) A specified percentage out of tax collections specified by Government, may be paid to the Fund;

(4) Government corporations are hereby authorized to give grants to the Fund at their discretion, not exceeding fifteen percent of their surplus;

(5) The private portion of the Fund shall be raised from the donations and other conveyances including funds, materials, property, and services, by gratuitous title;

(6) Chief Executive Officer shall be responsible for day to day administration of the Fund.

**11. Delegation of financial powers–** Under section 26 of the Ordinance, Chief Executive Officer shall be competent to administratively sanction expenditure up to an amount delegated by the Director General, within the Director General's delegation of powers.

## PART IX
## MISCELLANEOUS PROVISIONS

**12.Offences and penalties.–** (1) Any person or body corporate who **–**

(a) through his artistic work offends the sentiments of any person or section of the society;

(b) plagiarises the artistic work of another artist; shall be guilty of an offence and liable on conviction to a fine of up to twenty five thousand rupees.

**13. Transitional provisions. –** The provisions set out in the Third Schedule of the Ordinance with respect to the transfer of assets, liabilities, functions and employees of the erstwhile department shall have effect.

**SRIKANT NAGULAPALLI,**
*Principal Secretary to Government (FAC).*

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